

111TH CONGRESS
1ST SESSION

H. R. 269

To require the Department of Defense to grant access to accredited members of the media when the remains of members of the Armed Forces arrive at military installations in the United States.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 7, 2009

Mr. JONES introduced the following bill; which was referred to the Committee on Armed Services

A BILL

To require the Department of Defense to grant access to accredited members of the media when the remains of members of the Armed Forces arrive at military installations in the United States.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fallen Hero Com-
5 memoration Act”.

1 **SEC. 2. MEDIA ACCESS TO ARRIVAL CEREMONIES FOR**
2 **MEMBERS OF THE ARMED FORCES WHO**
3 **HAVE DIED ON ACTIVE DUTY.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) Members of the Armed Forces swear an
6 oath to support and defend the Constitution of the
7 United States.

8 (2) The Freedom of the Press is protected by
9 the First Amendment to the Constitution and is one
10 of the fundamental freedoms enjoyed by Americans.

11 (3) In each generation, members of the Armed
12 Forces have selflessly given their lives to secure the
13 freedoms Americans enjoy today.

14 (4) Americans must never forget the sacrifice
15 that was made, and continues to be made, by mem-
16 bers of the Armed Forces on behalf of the United
17 States.

18 (5) During the Vietnam War, images of arrival
19 ceremonies and flag-draped caskets of members of
20 the Armed Forces appeared regularly on television
21 and in print news sources.

22 (6) In 1985, the media covered a ceremony at
23 Andrews Air Force Base for members of the Armed
24 Forces killed in El Salvador. President Reagan at-
25 tended the ceremony and pinned Purple Heart med-
26 als on the flag-draped caskets.

1 (7) The practice of permitting media coverage
2 of the return of the remains of members of the
3 Armed Forces killed overseas was changed by the
4 Department of Defense in 1991, during the Persian
5 Gulf War. Department of Defense policy stated that
6 “Media coverage of the arrival of remains at the
7 port of entry or at the interim stops will not be per-
8 mitted . . .”.

9 (8) However, in 1996, the media photographed
10 the arrival and transfer ceremony at Dover Air
11 Force Base for the remains of Commerce Secretary
12 Ron Brown and 32 other Americans killed when
13 their plane crashed in Croatia. President Clinton
14 was present to receive the flag-draped caskets.

15 (9) In 1998, the media photographed the ar-
16 rival ceremony at Andrews Air Force Base for
17 Americans killed in simultaneous bombings of
18 United States embassies in Tanzania and Kenya.

19 (10) In 2001, the Department of Defense re-
20 stated the ban on media coverage at Dover Air
21 Force Base and at Ramstein Air Force Base. How-
22 ever, in 2002, the media was permitted to photo-
23 graph the transfer of flag-draped caskets at
24 Ramstein Air Force Base that carried the remains

1 of four members of the Armed Forces killed in Af-
2 ghanistan.

3 (11) In 2003, the Department of Defense ex-
4 panded the no-media policy, stating that “There will
5 be no arrival ceremonies for, or media coverage of,
6 deceased military personnel returning or departing
7 from Ramstein Air Base or Dover Air Force Base,
8 to include interim stops . . .”.

9 (b) ACCESS.—The Secretary of Defense shall grant
10 access to accredited members of the media when the re-
11 mains of members of the Armed Forces arrive at military
12 installations in the United States.

13 (c) ACCREDITATION.—The Secretary of Defense may
14 establish the policy for accreditation of members of the
15 media for purposes of granting access under subsection
16 (b).

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